

required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however*, That the mining operations herein authorized shall be subject to such rules and regulations as the Secretary of Agriculture may deem necessary in furtherance of the purposes for which the said sanctuary was established: *Provided further*, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the marking rules and timber sale practices applicable to the Harney National Forest, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development: *Provided further*, That the Secretary of Agriculture in his discretion may prohibit the location of mining claims within six hundred and sixty feet of any Federal, State, or county road, and within such other areas where the location of mining claims would not be in the public interest: *And provided further*, That no patent shall be issued by the United States on any location filed pursuant to the authority contained in this Act.

Rules and regulations.

Timber.

Location of claims, restriction.

Issuance of patents.

Western boundary of sanctuary.

Sec. 2. To facilitate administration for the purpose for which the sanctuary has been established, the western boundary of the sanctuary lying north of Custer State Park is hereby redefined as follows:

Beginning at the east quarter corner of section 7, township 2 south, range 5 east, Black Hills meridian; thence south along said section line to its intersection with a line three hundred feet north of the Horse Thief Lake Road; thence southwesterly along a line three hundred feet northwesterly from the center line of said road and running approximately parallel thereto to the intersection of said road with United States Highway 85A; thence southerly along a line three hundred feet west of United States Highway 85A and approximately parallel thereto to the present south boundary of said sanctuary in section 3 south, range 4 east, Black Hills meridian.

Approved June 24, 1948.

[CHAPTER 612]

AN ACT

To amend Veterans Regulation Numbered 1 (a), parts I and II, as amended, to establish a presumption of service connection for chronic and tropical diseases.

June 24, 1948

[H. R. 3880]

[Public Law 748]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraph (c) of paragraph I, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: "*Provided further*, That the term 'chronic disease' as used in this paragraph shall include anemia, primary; arteriosclerosis; arthritis, bronchiectasis; calculi of the kidney, bladder, or gall bladder; cardiovascular-renal disease, including hypertension, myocarditis, Buerger's disease and Raynaud's disease; cirrhosis of the liver; coccidiomycosis; endocarditis; diabetes, mellitus; endocrinopathies; epilepsies; Hodgkin's disease; leukemia, nephritis; osteitis, deformans; osteomalacia; organic diseases of the nervous system, including tumors of the brain, cord, or peripheral nerves; encephalitis lethargica residuals; scleroderma; tuberculosis, active; tumors, malignant; ulcers, peptic (gastric or duodenal) and

Veterans.
Chronic and tropical diseases.
38 U. S. C. note
follow. § 739.

"Chronic disease."

Tropical diseases.
Service connection.

such other chronic diseases as the Administrator of Veterans' Affairs may add to this list: *And provided further*, That, subject to the limitations of this subparagraph, tropical diseases, such as cholera; dysentery; filariasis; leishmaniasis; leprosy; loiasis; malaria; black water fever; onchocerciasis; oroya fever; dracontiasis; pinta; plague; schistosomiasis; yaws; yellow fever and others and the resultant disorders or diseases originating because of therapy, administered in connection with such diseases, or as a preventative thereof, shall be accorded service connection when shown to exist within one year after separation from active service or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service. Nothing in this paragraph shall be construed to prevent service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service."

38 U. S. C. note
foli. § 739.

SEC. 2. Veterans Regulation Numbered 1 (a), part II, paragraph I, as amended, is hereby amended by adding subparagraph (d) thereto, said paragraph to read as follows: "That for the purpose of paragraph I (a) hereof, any person who served in the military or naval service for six months or more and was honorably discharged therefrom and contracts a tropical disease such as cholera; dysentery; filariasis; leishmaniasis; leprosy; loiasis; malaria; black water fever; onchocerciasis; oroya fever; dracontiasis; pinta; plague; schistosomiasis; yaws; yellow fever and others and the resultant disorders or diseases originating because of therapy administered in connection with such diseases, or as a preventative thereof, unless shown by clear and unmistakable evidence to have had its inception prior or subsequent to active service, shall be deemed to have incurred such disability in active service when it is shown to exist within one year after separation from active service, or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service. Nothing in this paragraph shall be construed to prevent service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service."

Approved June 24, 1948.

[CHAPTER 613]

AN ACT

To amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended.

June 24, 1948

[H. R. 4071]

[Public Law 749]

Federal Food, Drug,
and Cosmetic Act,
amendment.

52 Stat. 1042.

Removal of label,
etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (k) of section 301 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 331 (k)), is amended to read as follows:

"(k) The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to, a food, drug, device, or cosmetic, if such act is done while such article is held for sale (whether or not the first sale) after shipment in interstate commerce and results in such article being adulterated or misbranded."

52 Stat. 1044.

SEC. 2. Subsection (a) of section 304 of such Act, as amended (21 U. S. C. 334 (a)), is amended by inserting immediately after the words "when introduced into or while in interstate commerce" the following: "or while held for sale (whether or not the first sale) after shipment in interstate commerce".

Approved June 24, 1948.